

Docket No. F-7101

Ser. No. 09/919,308

**REMARKS**

Claims 1-10, 13-15, and 18-23 are now in this application. Claims 1-10, 13-15, and 18-21 are rejected. Claims 11, 12, 16, and 17 are previously cancelled. Claims 1 and 13 amended herein to clarify the invention. New claims 22 and 23 are added.

Claims 1-7, 9, 13-15, and 18-21 are rejected as obvious over the Ng reference in view of the Yen reference, and further in view of the Junkin reference under 35 U.S.C. §103(a). Claim 8 is rejected as obvious over the Ng reference in view of the Yen reference, further in view of the Junkin reference, and further in view of the McNaughton reference under 35 U.S.C. §103(a). Claim 10 is rejected as obvious over the Ng reference in view of the Yen and Junkin references, and further in view of the Hanai reference under 35 U.S.C. §103(a). The applicant herein respectfully traverses these rejections.

The examiner cites a new reference, USP5846132, issued to Junkin to reject claim 1 as being obvious over Ng and Yen in view of Junkin. However, it is respectfully submitted that Junkin does not disclose features of presently amended claims 1 and 13 that are absent in the Ng and Yen references.

The Examiner cited the Junkin reference for teaching the feature of claim 1, "changing the physical characteristic data relating to ages of the original

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characters” that is not found either in Ng or Yen. However, the Examiner's indicated portions of Junkin, lines 6-53 on column 6 & lines 28-52 on column 7, do not appear to disclose or hint at physical characteristic data of a game player which relates to age thereof as defined in claim 1. The Examiner's indicated portion discloses real life statistics: player's performance for each day or cumulative over a season, or in weekly increments (lines 6 to 18 on column 6). In fact, these statistical data mentioned in Junkin are actual results of the real game, such as the number of homeruns, a batting average, or hit points, that are not the physical characteristic data relating to an age of a character.

The physical characteristic data relating to an age of a character as defined in claim 1 includes data such as a muscle power, flexibility, toughness and so on that are usually measured by a sport adaptability test for evaluating the fitness level of a person. Thus, what is disclosed in Junkin is not the physical characteristic data relating to an age of the character as defined.

Accordingly, it is respectfully submitted that even combining the Junkin disclosure with the other two references does not result in all the features of claims 1 and 13 being suggested or taught. Thus claims 1 and 13 are submitted as patentable over the three references combined.

Applicants have carefully checked the specification of Junkin and have not found where in Junkin “age” of a game character or any disclosure regarding the

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"age" of the game character is mentioned. The Examiner appears presumes that basing a game character's performance based on actual player performance equates to basing performance on age. However, this is clearly not taught by teh Junkin reference. Performance is merely based on real statistics and not physical data developed based on age data.

In addition, the primary reference in the rejections of claims 1 and 13 is Ng which discloses an age of a game character, more particularly, it mentions that a fighter (a game character) starts from the age of 16 and at the age of 30 he/she retires (see line 38: column 8 and line 38: column 8 of Ng). Thus, it is obvious the speed of passage of time in the game domain of Ng is much faster than that of the real world. However, retirement is not a physical characteristic as recited in the claims. On the other hand, Junkin reads the real-world performance data of the real players from the actual games and thus the passage of time in Junkin is basically in accordance with the passage of the real time in the real world.

Accordingly, bringing the teachings of Junkin to the game domain of Ng destroys the nature of the game. For instance, it seems almost impossible, if not impossible, to bring the actual world performance data to the virtual world created in Ng and permit the fighting game in Ng to be carried on. If such is forcefully done, what would result is a serious interruption of the progress of the game in Ng.

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Claims 1 and 13 now clearly set forth the difference related above. Claims 1 and 13 recite monitoring passage of virtual time on the server which causes the original characters to age according to the passage of the virtual time. The support for this amendment can be found in the following paragraph on page 16 of the originally filed specification which recites:

In this game system, furthermore, irrespective of whether or not a game player plays a game, virtual time elapses at a speed that is approximately ten times faster than that of actual time (1 year being 35 days, for example), and the transitions between day and night occur accordingly. Settings are also made so that Pawapuro-kun will age according to the passage of virtual time, so that Pawapuro-kun will automatically reach a certain age upon the passage of a certain time after the game player has started a game, and thereupon be forced to retire from active professional baseball play.

(the paragraph bridging page 16 to page 17 of the originally filed specification)

The above feature makes clear the difference with respect to the disclosures of Yen regarding the input of the stock market data in the real world regardless of the user's access also becomes clearer. In other words, Junkin and Ng are similar in that both receive an input from the data of the real world to reflect the progress of the game.


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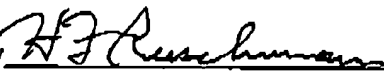
Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claims 1-10, 13-15, and 18-21 and their allowance are respectfully requested.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
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